

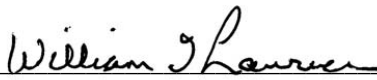
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

|                                   |   |                    |
|-----------------------------------|---|--------------------|
| BEN GUTTIERREZ, CHRISTINE ALESKI, | ) |                    |
| MYRON SNYDER, and GUTTIERREZ-     | ) |                    |
| McMULLEN, INC.,                   | ) |                    |
| Plaintiffs,                       | ) |                    |
|                                   | ) |                    |
| vs.                               | ) | 1:09-mc-91-WTL-TAB |
|                                   | ) |                    |
| BEN KENNEDY, JOYCE KENNEDY,       | ) |                    |
| BRIAN KENNEDY, and KENNEDY        | ) |                    |
| MACHINE TOOL, INC.,               | ) |                    |
| Defendants.                       | ) |                    |

**ADOPTION**

The Magistrate Judge submitted his Report and Recommendation. Parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections. The Court, having considered the Magistrate Judge's Report and any objections thereto, and being duly advised, approves and adopts the Magistrate Judge's Report and Recommendation. Accordingly, Plaintiffs' motion to set aside fraudulent transfer of assets [Docket No. 30] is denied, and Defendants' motion to dismiss Plaintiffs' motion [Docket No. 39] is denied as moot.

Dated: 07/20/2010

  
Hon. William T. Lawrence, Judge  
United States District Court  
Southern District of Indiana

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